



SCULLY, SCOTT, MURPHY & PRESSER PC
INTELLECTUAL PROPERTY LAW

1605
1/24



400 GARDEN CITY PLAZA
SUITE 300
GARDEN CITY, NY 11530
516-742-4343
FAX: 516-742-4366
E-MAIL: INTPROP@SSMP.COM
WWW.SSMP.COM

February 07, 2008

LEOPOLD PRESSER
FRANK S. DIGIGLIO
PAUL J. ESATTO, JR.
JOHN S. SENSNY
MARK J. COHEN
EDWARD W. GROLZ
STEVEN FISCHMAN
PETER I. BERNSTEIN
THOMAS SPINELLI
XIAOCHUN ZHU

MARVIN BRESSLER
RICHARD J. DANYKO
DENNIS J. DUNCAN[†]
EUNHEE PARK

MICHAEL A. PETROCELLI[▲]
KATHERINE R. VIEYRA[◊]
JOHN F. VODOPIA
SETH M. WEINFELD
KEITH A. WELTSCH^{*}
ZHUANG YUAN[▲]

PATENT AGENTS
LESLIE S. SZIVOS, PH.D.
BYEONGJU PARK, PH.D.
QIAN ZHANG

COUNSEL
RICHARD L. CATANIA
BARRY M. KRIVISKY
ALLEN R. MORGANSTERN
ALEK P. SZECSY
STEPHEN A. YOUNG

TECHNICAL CONSULTANTS
DOMINICK A. TUCCIO
HESONG CAO

RETIRED
JOHN F. SCULLY
STEPHEN D. MURPHY

ANTHONY C. SCOTT
1931-1994

[◊]OH BAR ONLY
^{*DC AND MD BAR ONLY}
^{^CT BAR ONLY}
^{†NJ BAR ONLY}

Re: USSN: 10/589,321
Axel Kallies, et al.
Our Docket: 20155

Dear Sirs:

The Filing Receipt for the above-identified patent application has one of the applicants' names incorrect and the Assignment for Published Patent Application information is incorrect. It should read as follows:

Assignment for Published Patent Application
The Walter and Eliza Hall Institute of Medical Research,
Parkville, Victoria, Australia

Applicant: David Tarlinton

as indicated on the enclosed pages. Please make the corrections and send us a corrected Filing Receipt.

Very truly yours,

Scully, Scott, Murphy & Presser, P.C.

SSM&P/tw
Encl.



O I P E
FEB 25 2008
U S P T O
P A T E N T & T R A D E M A R K
O F F I C E

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPL NO.	FILING OR 371(c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	TOT CLMS	IND CLMS
10/589,321	11/22/2006	1645	5590	20155	47	5

CONFIRMATION NO. 6068

23389
SCULLY SCOTT MURPHY & PRESSER, PC
400 GARDEN CITY PLAZA
SUITE 300
GARDEN CITY, NY 11530

FILING RECEIPT



OC000000026107177

Date Mailed: 10/03/2007

Receipt is acknowledged of this nonprovisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Axel Kallies, St Kilda, AUSTRALIA;
Jhagvaral Hasbold, North Balwyn, AUSTRALIA;
David Tarlington, Blackburn, AUSTRALIA;
Lynn Corcoran, East Kew, AUSTRALIA;
Philip Desmond Hodgkin, Coburg, AUSTRALIA;
Stephen Laurence Nutt, Ascot Vale, AUSTRALIA;

Assignment For Published Patent Application

Davies Collison Cave, Melbourne, AUSTRALIA

Power of Attorney: The patent practitioners associated with Customer Number 23389.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/AU05/00168 02/11/2005

Foreign Applications

AUSTRALIA 2004900673 02/12/2004

If Required, Foreign Filing License Granted: 10/01/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/589,321**

Projected Publication Date: 01/10/2008

Non-Publication Request: No

Early Publication Request: No

Title

Modified Cells and Methods of Using Same

Preliminary Class

435

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

ASSIGNMENT

WHEREAS, I/WE

Axel KALLIES, a German citizen of 11/14 Robe Street, St. Kilda, Victoria 3182, Australia;
Jhagvaral HASBOLD, an Australian citizen of 3/10, Thea Avenue, North Balwyn, Victoria 3104, Australia;
David TARLINTON, an Australian citizen of 28 Kerr Street, Blackburn, Victoria 3130, Australia;
Lynn CORCORAN, an Australian citizen of 180 Kilby Road, East Kew, Victoria 3102, Australia;
Philip Desmond HODGKIN, an Australian citizen of 50 The Avenue, Coburg, Victoria 3058, Australia;
Stephen Laurence NUTT, an Australian citizen of 16 Mirams Street, Ascot Vale, Victoria 3032, Australia

hereinafter referred to as Assignor (collectively if more than one inventor is listed above), have invented certain new and useful improvements in **Modified cells that co-express Blimp 1 and a reporter molecule and methods of using the same**

the specification of which:

- (a) [] was executed on even date herewith;
(b) [] was filed on _____ as [] Application No _____ or
[] Express Mail No., as Application No. not yet known _____ and was amended on _____
(if applicable); or
(c) [x] was described and claimed in PCT International Application PCT/AU2005/000168
filed on 11 February 2005 and as amended under PCT Article 19 on _____ (if any) and/or
under PCT Article 34 on 12 May 2006 (if any).

AND WHEREAS,

THE WALTER AND ELIZA HALL INSTITUTE OF MEDICAL RESEARCH, of 1G Royal Parade,
Parkville, Victoria 3052, Australia

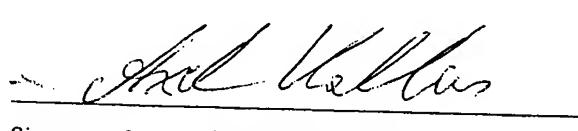
(hereinafter referred to as Assignee) desires to acquire the entire rights, title, and interest in and to the said improvements with respect to the United States of America, its territories and possessions.

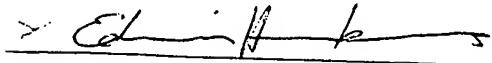
NOW, THEREFOR, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby acknowledges that it has sold, assigned, transferred and set over, and by these presents does hereby sell, assign, transfer and set over, territories and possessions in, to and under said improvements, and any Patent Applications in the United States of America and all divisions, renewals and continuations thereof, and all Patents of the United States of America which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions; and Assignor hereby authorizes and requests the Commissioner of Patents of the United States of America to issue all Patents for said improvements to Assignee, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND ASSIGNOR HEREBY covenants and agrees that it will communicate to Assignee, its successors, legal representatives and assigns, any facts known to it respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid Assignee, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in the United States of America.

IN TESTIMONY WHEREOF, Assignor intending to be legally bound has hereunto affixed its signature.

This 2 day of NOVEM, 2006


Signature of **Axel KALLIES**


Witness

018564/0179 PAGE 2

ASSIGNOR:

NUTT, STEPHEN LAURENCE

DOC DATE: 10/17/2006

ASSIGNEE:

WALTER AND ELIZA HALL INSTITUTE OF
MEDICAL RESEARCH, THE
1G ROYAL PARADE
PARKVILLE, VICTORIA, AUSTRALIA 3052

SERIAL NUMBER: 10589321

FILING DATE:

PATENT NUMBER:

ISSUE DATE:

TITLE: MODIFIED CELLS AND METHODS OF USING SAME

PAULA MCCRAY, EXAMINER
ASSIGNMENT SERVICES BRANCH
PUBLIC RECORDS DIVISION

FEB 25 2008

RECORDATION FORM COVER SHEET
PATENTS ONLY

Tab settings → → → ↓

To the Director of the United States Patent and Trademark Office: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): Axel Kallies Jhagvaral Hasbold David Tarlinton Lynn Corcoran		2. Name and address of receiving party(ies): Name: The Walter and Eliza Hall Institute of Medical Research Address: 1G Royal Parade
Additional names(s) of conveying party(ies) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____		City: Parkville State/Prov.: Victoria Country: Australia ZIP: 3052
Execution Date: 11/2/06; 10/3/2006; 9/25/06; 11/22/06; 10/19/06; 10/17/06; respectively		Additional name(s) & address(es) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
4. Application number(s) or patent numbers(s): If this document is being filed together with a new application, the execution date of the application is: _____		
Patent Application No. 10/589,321 Filing date August 14, 2006		B. Patent No.(s)
		Additional numbers <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
5. Name and address of party to whom correspondence concerning document should be mailed: Name: Edward W. Grolz Registration No. 33,705 Address: Scully, Scott, Murphy & Presser, PC 400 Garden City Plaza Suite 300 City: Garden City State/Prov.: NY Country: USA ZIP: 11530		6. Total number of applications and patents involved: 1
		7. Total fee (37 CFR 3.41):\$ 40.00 <input type="checkbox"/> Enclosed - Any excess or insufficiency should be credited or debited to deposit account <input checked="" type="checkbox"/> Authorized to be charged to deposit account
		8. Deposit account number: 19-1013/SSMP (Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Edward W. Grolz

Name of Person Signing

Signature

November 22, 2006

4

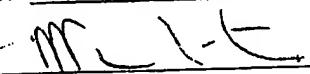
Date

Total number of pages including cover sheet, attachments, and document:

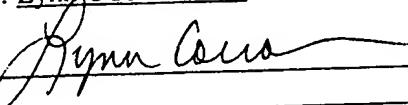
DECLARATION (37 CFR 163.) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)

FULL NAME OF INVENTOR(S)

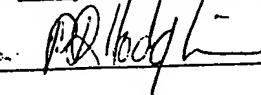
Inventor three: David TARLINTON

Signature:  Citizen of: Australia

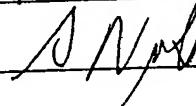
Inventor four: Lynn CORCORAN

Signature:  Citizen of: Australia

Inventor five: Philip Desmond HODGKIN

Signature:  Citizen of: Australia

Inventor six: Stephen Laurence NUTT

Signature:  Citizen of: Australia

Inventor seven:

Signature: _____ Citizen of: _____

Inventor eight:

Signature: _____ Citizen of: _____

Inventor nine:

Signature: _____ Citizen of: _____

Inventor ten:

Signature: _____ Citizen of: _____